

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICHAEL WRIGHT; ALEXIS
WRIGHT,

Plaintiffs,

v.

STATE FARM FIRE AND CASUALTY
COMPANY,

Defendant.

CASE NO. 2:23-cv-179

ORDER

This matter comes before the Court on Plaintiffs Michael and Alexis Wright's ("the Wrights") and Defendant State Farm Fire and Casualty Company's ("State Farm") responses to the Court's Order to Show Cause as to why the Court should grant the motions to seal at Dkt. Nos. 115 and 127. Dkt. Nos. 133, 135. Because the parties have shown cause, the Court GRANTS the motions.

In November 2024, both parties moved for summary judgment. Dkt. Nos. 85, 88. In support of their briefing on these motions, the Wrights filed two motions to seal: one with their response (Dkt. No. 112) in opposition to State Farm's motion for summary judgment, Dkt. No. 115; one with their reply (Dkt. No. 125) in support of their own summary judgment motion, Dkt. No. 127.

1 The motion to seal at Dkt. No. 115 pertained to four documents, each of
2 which State Farm designated as confidential under the parties' stipulated
3 protective order, Dkt. No. 55: first, an unredacted copy of the Wrights' opposition
4 brief, Dkt. No. 117 (redacted version filed publicly at Dkt. No. 113); second, a
5 transcript of the Fed. R. Civ. P. 30(b)(6) deposition of State Farm designee Kaity
6 Lercel, whose testimony pertained to State Farm's Enterprise Incentive Plan (EIP)
7 and Management Incentive Plan (MIP) programs, Dkt. No. 117-1; third, internal
8 State Farm policy documents relating to State Farm's EIP, MIP, and "Total
9 Rewards" programs, Dkt. No. 117-2; and fourth, an executed errata to the 30(b)(6)
10 deposition transcript of John Feely (which transcript was filed under seal at Dkt.
11 No. 84), Dkt. No. 117-3. The motion to seal at Dkt. No. 127 covered one document:
12 an unredacted version of the Wrights' reply in support of their own summary
13 judgment motion, Dkt. No. 128 (redacted version filed at Dkt. No. 125).

14 The Court denied the Wrights' motions to seal because they lacked sufficient
15 legal justification, and it ordered the parties to submit three-page responses
16 explaining why the motions should be granted. *See* Dkt. No. 138.

17 In response, State Farm clarifies that "[t]he information State Farm seeks to
18 keep under seal is of a piece with the information that the Court has already
19 concluded that there are compelling reasons to seal—information about State
20 Farm's EIP and MIP." Dkt. No. 145 at 1. As State Farm explains:

21 [The materials filed under seal] show specific State Farm performance
22 measures, goals and results and have independent economic value. The
23 confidential information about State Farm's incentive compensation
structure contained in the EIP and MIP Scorecards, if disclosed, could
be used by State Farm's competitors to undermine State Farm's ability

1 to hire and/or retain senior-level executives.⁶ State Farm also takes
2 steps to ensure the confidentiality of the EIP and MIP scorecards,
3 including prohibiting their disclosure in its employee Code of Conduct,
and ensuring that when documents relating to EIP or MIP are produced
in litigation, they are produced subject to a protective order.

4 *Id.* at 2-3. The Wrights do not disagree. *See* Dkt. No. 143.

5 These arguments suffice. As the Court explained in its previous Order, State
6 Farm has given compelling reasons to keep its EIP and MIP-related materials
7 under seal. *See* Dkt. No. 138; *see Kamakana v. City & Cnty. of Honolulu*, 447 F.3d
8 1172, 1178-80 (9th Cir. 2006) (“Those who seek to maintain the secrecy of
9 documents attached to dispositive motions must meet the high threshold of showing
10 that compelling reasons support secrecy.”). Therefore, the Court GRANTS the
11 motions to seal, Dkt. Nos. 115 and 127, and DIRECTS the Clerk of Court to
12 maintain Dkt. Nos. 117, 117-1, 117-2, 117-3, and 128 under seal.

13 It is so ORDERED.

14 Dated this 10th day of February, 2025.

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16 Jamal N. Whitehead
17 United States District Judge
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